

## REMARKS

Claims 1-4, 6-9, 11-19, 21-35, and 37 are pending in the application. No claims have been amended or newly added. In view of the following remarks, reconsideration and allowance of all the claims pending in the application are respectfully requested.

### Rejections Under 35 USC § 103(a)

#### **Claims 1, 6, 11, 16, and 33-35**

Claims 1, 6, 11, 16, and 33-35 have been rejected under 35 USC § 103(a) as allegedly being unpatentable over U.S. Patent Number 6,119,101 issued to Peckover ("Peckover"). Applicants traverse these rejections because Peckover does not teach or suggest all the features of the claims.

Independent claim 1 recites, *inter alia*, "the subscription requesting means including a selection formula, wherein the selection formula is programmed by the user, the selection formula including search criteria corresponding to the subscription." Peckover does not teach or suggest at least these features as set forth in claim 1.

Applicants submit that the Web page screen disclosed in Peckover enables a user to select or specify search criteria for searching automobiles (See figures 41 and 42 of Peckover). These user specified search criteria are then processed by background programs associated with the Web page screen. However, Peckover does not teach or suggest that a user programs a selection formula which includes search criteria, as set forth in claim 1. Furthermore, Peckover does not teach or suggest a selection formula as set forth in Applicants' specification at, for example, Figure 1, 114. For at least this reason, Applicants submit that claim 1 is patentable over Peckover.

Claims 6, 11, and 16 include features similar to those discussed above with regard to claim 1. For at least the foregoing reasons, Applicants submit that these claims are also patentable over Peckover.

Dependent claims 33-35 each depend from and add additional features to one of independent claims 1, 6, 11, and 16. Because Peckover fails to teach or suggest each of the features of the independent claims, Applicants submit that dependent claims 33-35 are also patentable over Peckover for at least the reasons set forth above.

#### **Claims 2-3, 7-8, 14-15, and 17-18**

Dependent claims 2-3, 7-8, 14-15, and 17-18 have been rejected under 35 USC § 103(a) as allegedly being unpatentable over Peckover in view of U.S. Patent Number 6,141,653 issued to Conklin et al. ("Conklin").

Dependent claims 2-3, 7-8, 14-15, and 17-18 each depend from and add additional features to one of independent claims 1, 6, 11, and 16. Peckover is deficient in teaching or suggesting each of the features of the independent claims for at least the foregoing reasons. Conklin does not compensate for the deficiencies of Peckover set forth above. For at least this reason, Applicants submit that dependent claims 2-3, 7-8, 14-15, and 17-18 are also patentable over Peckover in view of Conklin.

#### **Claims 4, 9, 12, 13, 19, and 21-32**

Dependent claims 4, 9, 12, 13, 19, and 21-32 have been rejected under 35 USC § 103(a) as allegedly being unpatentable over Peckover in view of U.S. Patent Number 6,020,980 issued to Freeman ("Freeman").

Dependent claims 4, 9, 12, 13, 19, and 21-32 each depend from and add additional features to one of independent claims 1, 6, 11, and 16. Peckover is deficient in teaching or suggesting each of the features of the independent claims for at least the foregoing reasons. Freeman does not compensate for the deficiencies of Peckover set forth above. For at least this reason, Applicants

submit that dependent claims 4, 9, 12, 13, 19, and 21-32 are also patentable over Peckover in view of Freeman.

### **Claim 37**

Claim 37 includes, *inter alia*, the features of “enabling a user to input a selection formula, said selection formula including search criteria corresponding to a subscription, wherein said search criteria identify information to be searched for and presented to the user at various intervals without additional user intervention,” “performing a search in said at least one database to identify the information corresponding to said search criteria of said selection formula,” “retrieving said identified information,” and “presenting said retrieved information to the user.” This combination of features is not disclosed, taught, or suggested by Peckover, Conklin, and Freeman, alone or in combination with one another.

Applicants submit that the Web page screen disclosed in Peckover enables a user to select or specify search criteria for searching automobiles (See figures 41 and 42 of Peckover). These user specified search criteria are then processed by background programs associated with the Web page screen. However, Peckover does not teach or suggest enabling a user to input a selection formula including search criteria. Furthermore, Peckover does not teach or suggest a selection formula as set forth in Applicants’ specification at, for example, figure Figure 1, 114. For at least this reason, Applicants submit that claim 37 is patentable over the references relied upon by the Examiner.

Application Serial No.: 09/345,448  
Attorney Docket No.: 23452-078  
Reply After Final  
Customer No.: 29315

Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

Dated: March 18, 2004

By: James Gatto  
James G. Gatto  
Registration No. 32,694

**CUSTOMER NUMBER**  
**23915**

MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY AND POPEO, P.C.  
12010 Sunset Hills Road, Suite 900  
Reston, VA 20190  
Telephone (703) 464-4800  
Facsimile (703) 464-4895